

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 05-2382-B/An

NATIONAL BANK OF COMMERCE,

Defendant/Third-Party Plaintiff,

v.

SPECIALTY FOODS, LLC, and PAUL T. CAPPS,

Third-Party Defendant.

ORDER

On July 20, 2005, default was entered in favor of the Defendant/Third-Party Plaintiff, National Bank of Commerce, against the Third-Party Defendants, Specialty Foods, LLC and Paul T. Capps, pursuant to Rule 55(a), Federal Rules of Civil Procedure. Since that time, no further action has been taken by National Bank of Commerce and the next step for conclusion of the third-party claim is for the bank to take a default judgment against the Third-Party Defendants.

Accordingly, the National Bank of Commerce is directed to proceed with a request for default judgment in accordance with Fed.R.Civ.P. 55 within eleven (11) days of the entry of this order.

IT IS SO ORDERED this 19th day of August, 2005.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 8-22-05

J. Daniel Breen
J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

(28)



Notice of Distribution

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Honorable J. Breen
US DISTRICT COURT